

Notice of Allowability

Application No.

09/779,900

Examiner

Tilahun B. Gesesse

Applicant(s)

OHLENBUSCH ET AL.

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/17/05.
2. ☒ The allowed claim(s) is/are 2,3,5-9,11,12,14,15,17-21,23,34,36-40,44-48,51-60 and 68-76.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/30/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This is in response to applicant's amendment filed November 17, 2005, in which claims 1,4,10,13,16,22,24-33,35,41-43,49-50 and 61-67 have been deleted and claims 2-3,5-9,11-12,14-15,17-21,23,34,36-40,44-48,51-60,68-76 are pending.

After further search and thorough examination of the present application , claims 2-3,5-9,11-12,14-15,17-21,23,34,36-40,44-48,51-60 and 68-76 are found to be in condition for allowance.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance: Natarajan teaches Natarajan teaches during finite time periods (item #88) following transmission of respective first messages from the first device to the second device, using the first device to Listen for second messages transmitted from the second device to the first device (see figure 8A flow chart items # 88, 90 and #86), Natarajan teaches after each .of the finite time periods (item #88) following the transmission of the respective first messages from the first device to the second device. ceasing to use the first device to listen for second messages transmitted from the second device to the first device until after the first device transmits another first message to the second device (item #84 Listening-to Listen of mobile units) and ceasing to use the second device to listen for first messages received from the first device at least occasionally when the second device is operational (column 3, lines 59-column 8, line 68 , column 6, lines 6-47 and figures 4-9).

On the other hand, the present application specifically teaches ceasing to use the second device to listen for first messages received from the first device at least occasionally when the second device is operational (b) receiving a sensor input with the first device'. (c) in response to the sensor inputs with the first device. Generating processed data for inclusion in at least one of the first messages that are transmitted to the second device; and (d) in response to the first messages, displaying on the wristwatch information based on the processed data received from the first device.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882.

The Central FAX Number will change to 571-273-8300. This new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus.

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11/28/05
Tilahun Geesse
TILAHUN GESESSE
PRIMARY EXAMINER